

**California Department of Human Resources
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Travel/Relocation Programs - AB 1887 - Out-of-State Travel Policy	REFERENCE NUMBER: 2016-031
DATE ISSUED: November 18, 2016	SUPERSEDES:

This memorandum should be forwarded to:

**Accounting Officers
Budget Officers
Claims Coordinators
Employee Benefit Officers
Labor Relations Officers
Personnel Officers
Personnel Transactions Staff
Travel and Relocation Liaisons**

FROM: California Department of Human Resources
Benefits Division

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The California Department of Human Resources (CalHR) has released this PML to provide guidance on the provisions of Assembly Bill 1887 (AB 1887), Chapter 687, Statutes of 2016, which becomes effective January 1, 2017.

AB 1887 adds section 11139.8 to the California Government Code and prohibits state agencies from requiring any of its employees, officers, or members to travel to any state, or approving a request for state-funded or state-sponsored travel, to any state that after June 26, 2015, has enacted the following:

- A law that voids or repeals, or has the effect of voiding or repealing, existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression.
- A law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression.

In order to help agencies comply with the provisions of AB 1887, the California Attorney General (AG) will develop, maintain, and post on his or her website a current list of states that, after June 26, 2015, have enacted the aforementioned discriminatory laws or practices. At this time, we believe Mississippi, North Carolina, and Tennessee meet

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the criteria of states that have enacted discriminatory laws after June 26, 2015. Each state agency must consult the list prior to travel to ensure compliance with the travel and funding restrictions imposed by AB 1887.

AB 1887 and its provisions supersede policy laid out in the Department of Finance's Budget Letter 15-02 (approval process for out-of-state travel requests). Therefore:

- For travel that will take place before December 31, 2016, agencies which have been given prior approval for out-of-state travel to states listed above may continue with their travel plans.
- For trips that will take place on or after January 1, 2017, all previously approved mission critical and discretionary travel to those states listed above must be cancelled. All mission critical travel to banned states must be resubmitted to Department Directors and Agency Secretaries (or their designees) before seeking final approval from the Governor's Office through the out-of-state travel process for individual trips.
- Additionally, no discretionary out-of-state travel to listed states will be approved after January 1, 2017. This includes trips paid for by third parties.

AB 1887 allows for the following exceptions to its provisions and restrictions, which are considered to be "mission critical" to conducting state business:

- The enforcement of California law, including auditing and revenue collection.
- Litigation.
- Meeting contractual obligations incurred before January 1, 2017.
- Complying with requests by the federal government to appear before committees.
- Participation in meetings or training required by a grant or required to maintain grant funding.
- The completion of job-required training necessary to maintain licensure or similar standards required for holding a position, in the event that comparable training cannot be obtained in California or a different state not listed by the AG's website.
- The protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office.

If agencies have questions about or need assistance with [travel reimbursement rates/policy](#) please contact Ray Asbell at (916) 324-0526 or at ray.asbell@calhr.ca.gov.

/s/Ralph Cobb

Ralph Cobb, Acting Chief
Benefits Division